

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Carl E. Fabian      Group Art Unit: 3736  
Serial No.: 10/723,566      Examiner: NA  
Filed: November 26, 2003  
For: JAN 09 2006 MINIATURE MAGNETOMECHANICAL TAG FOR  
DETECTING SURGICAL SPONGES AND IMPLEMENTS  
Matter No. 0018-14

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.97(b)**

In accordance with the duty of disclosure under 37 CFR §1.56, listed on the attached PTO-1449 Form are documents developed by a search conducted during prosecution of Applicant's PCT counterpart. The Examiner may deem these documents to be relevant to patentability of the claims of the above-identified application. A copy of each of the documents is enclosed for the convenience of the Examiner.

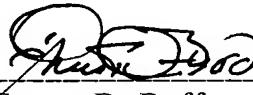
The submission of the listed documents is not intended as an admission that any of the documents constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicants respectfully request that the listed documents be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The present Supplemental Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date

of the first Office Action on the merits, but before a Final Office Action or Notice of Allowance (whichever is earlier), and therefore Applicant is filing concurrently herewith a Certification under 37 CFR §1.97(e). In light of the foregoing, it is understood that no fee under 37 CFR §1.17(p) is required. However, in the event that the Commissioner deems that an additional fee is required, it is respectfully requested that applicant's attorney be contacted and accorded an opportunity to pay such additional fee.

Respectfully submitted,



Ernest D. Buff  
Reg. No. 25,833

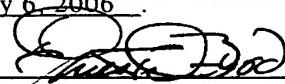
**Enclosures**

Ernest D. Buff & Associates, LLC  
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Dated: January 6, 2006

**Certificate of Mailing by First Class Mail**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on January 6, 2006.



Signature

**Ernest D. Buff**  
*Attorney of Record*

January 6, 2006  
(Date)

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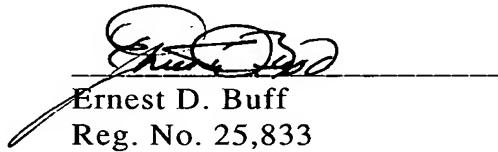
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATION UNDER 37 CFR §1.97 (e) ACCOMPANYING  
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir/Madam:

Applicant hereby certifies that each item of information contained in the Supplemental Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,



Ernest D. Buff  
Reg. No. 25,833

A handwritten signature of Ernest D. Buff is written over a horizontal line. Below the signature, the name "Ernest D. Buff" is typed, followed by "Reg. No. 25,833".

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Date: January 5, 2005  
0018-14 IDSSUPP-CERT

FORM PTO-1449 (Rev. 2-32)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO: 0018-14	SERIAL NO.: 10/723,566
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANT: Carl E. Fabian	O I P E I A P C JAN 09 2006 P A T E N T & T R A D E M A R K O F F I C E
(Use several sheets if necessary)		FILING DATE: November 26,2003	GROUP: 3736

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)**


**EXAMINER**

**DATE CONSIDERED**

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.